

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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GERALD STEVENS,

Plaintiff,

-against-

CAPTAIN DOMMES, NEW YORK CITY  
DEPARTMENT OF CORRECTIONS, JOHN DOE  
#1, JOHN DOE #2,

Defendants.  
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**ORDER REGULATING  
PROCEEDINGS**

05 Civ. 9589 (AKH)

ALVIN K. HELLERSTEIN, U.S.D.J.:

By Order of January 8, 2007, I ordered the plaintiff to serve a summons and copies of the Complaint upon the defendants, and to file proof of such service with the Clerk of the Court, by February 26, 2007. I ordered also that the Clerk of the Court issue an amended summons to the plaintiff.

It appears that the United States Marshall has not been able to effect service.

I order, as follows:

1. The time for effecting service is enlarged to April 30, 2007.
2. The Corporation Counsel of the City of New York, in answer to interrogatories served by the plaintiff on February 16, 2007, shall (a) identify where and when Dommes can be served or, alternatively, accept service on his behalf; (b) identify the Department of Corrections Officers on duty at the time and place of the allegations set out in the complaint, and state where and when each person who plaintiff reasonably believes should be a defendant may be served. See Valentin v. Dinkins, 121 F.3d 72 (2d Cir. 1997) (per curiam).

3. Plaintiff shall promptly move to substitute names of people he believes he has the right to sue in place of the "John Does," showing, for each such person, why he can be made a defendant.

4. Defendant may reserve all motions.

5. Plaintiff is again advised that the Pro Se Office at the United States Courthouse, 500 Pearl Street, Room 230, New York, New York 10007, telephone (212) 805-0175, may be of assistance in connection with court procedures but cannot give legal advice.

SO ORDERED.

Dated: New York, New York  
March 1, 2007



ALVIN K. HELLERSTEIN  
United States District Judge